

Application Number: 16/10003 Full Planning Permission

Site: 7 NEWLANDS MANOR, EVERTON, MILFORD-ON-SEA SO41 0JH

Development: Alterations to create first-floor including windows and rooflights; window to No 11

Applicant: Mr Halliwell

Target Date: 03/03/2016

1 REASON FOR COMMITTEE CONSIDERATION

Discretion of Executive Head of Economy, Housing and Planning.

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Green Belt
Plan Area
Listed Building

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

Objectives

- 1. Special qualities, local distinctiveness and a high quality living environment
- 7. The countryside

Policies

- CS2: Design quality
- CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)

Local Plan Part 2 Sites and Development Management Development Plan Document

- DM20: Residential development in the countryside
- DM1: Heritage and Conservation

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework NPPF Ch. 7 - Requiring good design
NPPF Ch. 9 - Protecting Green Belt land
NPPF Ch. 12 - Conserving and enhancing the historic environment
Section 66 General duty as respects listed buildings in exercise of planning functions.
Planning (Listed Buildings and Conservation Areas) Act 1990

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

SPG - Residential Design Guide for Rural Areas

6 RELEVANT PLANNING HISTORY

- 12/98282 First floor extension (application for listed building consent) withdrawn 27/06/2012
- 12/98281 First floor extension withdrawn 27/06/2012
- 08/93188 Replacement porch, 2 windows, 2 conservation rooflights (application for Listed Building Consent) granted subject to conditions 03/12/2008
- 08/92573 Replacement porch , 2 windows, 2 conservation rooflights (application for Listed Building Consent) refused 27/08/2008
- 16/10004 Alterations to create first-floor including windows and rooflights, flat lead roof, replace windows, new windows, block window, remove stud wall, insert stair case, window to no 11 (application for Listed Building Consent) current application

7 PARISH / TOWN COUNCIL COMMENTS

Milford on Sea Parish Council: recommend permission but would accept the decision reached by the DC Officers under their delegated powers. The Parish Council noted there were no objections from neighbours and appreciated the collaborative approach this applicant had taken with regard to developing the plans in consideration of adjacent properties. The Parish Council also felt this was a tasteful design that could improve both the living accommodation and the exterior appearance of this section of the building.

8 COUNCILLOR COMMENTS

Cllr Mrs S Beeton: It is acknowledged that this is an unusual development however as it has been well received by neighbours and the Parish Council it needs some careful thought as to how it could progress alongside the listed building.

Please allow this application to go before the committee as the heritage and listed building issues need to be explored further - we need to protect the historic interest whilst allowing for good quality living accommodation today.

Cllr M Kendall: In order to be as helpful as we can to the applicant please let this go to committee for allowing the listed building issues to be further explored. However please note that I do not have a view on this application.

9 CONSULTEE COMMENTS

Land Drainage: no comment

Conservation: cannot support scheme as proposed (full comments available to view on website)

10 REPRESENTATIONS RECEIVED

Mr Brin, 11 Newlands Manor:

- confirmation that new window proposed in their property is acceptable to them

Correspondence from applicant:

- establishing history of property since it has been in family ownership as a 'weekend cottage', now required for full time accommodation
- has support of residents and neighbours of Newlands Manor
- no objections from NFDC at Parish Council meeting

Correspondence from agent:

- further comments relating to points raised following correspondence and conversations had with NFDC (these are available to view on the website)

11 CRIME & DISORDER IMPLICATIONS

Not applicable

12 LOCAL FINANCE CONSIDERATIONS

From the 6 April 2015 New Forest District Council began charging the Community Infrastructure Levy (CIL) on new residential developments.

Regulation 42 of the CIL Regulations 2010 (as amended) states that CIL will be applicable to all applications over 100sqm GIA and those that create a new dwelling. The development is under 100 sq metres and is not for a new dwelling and so there is no CIL liability in this case.

13 WORKING WITH THE APPLICANT/AGENT

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council take a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome.

This is achieved by

- Strongly encouraging those proposing development to use the very thorough pre application advice service the Council provides.
- Working together with applicants/agents to ensure planning applications are registered as expeditiously as possible.
- Advising agents/applicants early on in the processing of an application (through the release of a Parish Briefing Note) as to the key issues relevant to the application.
- Updating applicants/agents of issues that arise in the processing of their applications through the availability of comments received on the web or by direct contact when relevant.
- Working together with applicants/agents to closely manage the planning application process to allow an opportunity to negotiate and accept amendments on applications (particularly those that best support the Core Strategy Objectives) when this can be done without compromising government performance requirements.
- Advising applicants/agents as soon as possible as to concerns that cannot be dealt with during the processing of an application allowing for a timely withdrawal and re-submission or decision based on the scheme as originally submitted if this is what the applicant/agent requires.

- When necessary discussing with applicants/agents proposed conditions especially those that would restrict the use of commercial properties or land when this can be done without compromising government performance requirements.

Pre-application advice was been sought, when concerns were expressed over the acceptability of the proposals and the applicant's attention drawn to the need for additional information to justify the works proposed. On submission of the application concerns remained over aspects of the proposal's design and the lack of information to justify the works proposed, which have been conveyed to the applicant's agent. However, on the basis of the plans and information currently provided with this application, significant concerns remain over the impacts of the proposal on this heritage asset and as such, it is recommended for refusal.

14 ASSESSMENT

- 14.1 The application site consists of a single storey dwelling, which forms part of the complex of residential dwellings created by the subdivision of Newlands Manor in the 1950s, and was originally used as holiday and weekend accommodation by the owners. Newlands Manor is a Grade II listed building and is situated on a secluded site in the Green Belt.
- 14.2 No 7 Newlands Manor forms a link between the main house and the cottages to the north, and consists of a pitched roof building with flat roofed element to the side. The historic use of the building has not been categorically established, but it appears to have originally been part of the ancillary servant and domestic accommodation. The pitched roof part of the building may have been a workshop/studio and potentially could have originally contained a glass atrium, while the flat roofed element appears to be a later addition.

Although there are limited records for the history of this building the Conservation Officer has advised that this roof would have had a central glazed element, evidenced from within the roof space itself given the visible scarring of the ceiling below. Furthermore, the significance of this part of the house has not been satisfactorily ascertained. The association with the service element of the building would suggest the original use may have been as a top lit workshop, though it possibly could have formed a studio space, but this has not been conclusively established.

The evidence submitted with the application appears to conclude that there are some interesting features, but, because insufficient fabric can be seen the significance of this part of the building is low. However, neither the 'Assessment of Significance' nor 'Design and Heritage Statement' submitted with the application suggests that further information could not be gathered through non-invasive investigations or small areas of opening up. This could also have been carried out in the ground floor room to establish linkage with the main house and a better indication of construction dates and value. The statement of significance only covers those elements which are visible.

Consequently, it is not agreed that the value of the existing building is of low significance. While changes may have taken place in the late 19th century to achieve the lantern, the current roof and its construction could potentially date from the 18th to mid-19th century. The finish of the timberwork, the cleanliness and crisp detail of the jointing suggest an earlier date for this roof. The softwood is of sufficiently high quality to

indicate a well-constructed and better quality building even if at the service end of the building. The remnant of the spine beam and the position of purlins mean it is not possible to firmly locate the date of this roof. However, as identified in the accompanying documentation for the application, it could form part of the earlier house or an associated structure. The location of the building to the rear of the property does not diminish its value compared to other areas of the building, neither does the assertion that it could have formed part of the service wing. The application site forms an important element of the wider listed building.

- 14.3 Essential repairs are required as identified in the accompanying design and access statement, but these works are necessary regardless of the outcome of the current applications. Furthermore, unauthorised works have been identified in respect of the installation of UPVC windows and works undertaken in connection with a previous planning consent 08/93188, which was not implemented in accordance with the approved plans and therefore need rectifying, but these further works should not be reliant on whether consent is granted and the identified breaches can be resolved independently of these applications.
- 14.4 Pre-application advice has been sought on a couple of occasions in recent years to try and find a sympathetic way forward to extend this property, to update and create additional space in line with its current use as a primary residence. Due to the constraints and sensitivities of the site, an acceptable approach has not been agreed and following the most recent pre application enquiry concerns were expressed with regard to the adverse impact the proposed development would have on the historic fabric and appearance of the Listed Building. Furthermore, there were concerns in respect of the floor area being in excess of policy criteria, and also the impact upon neighbour amenity.
- 14.5 The current proposal has made some revisions to the previous proposals. The existing roof would still be raised (but retain its gable form) and a second gable is proposed over part of the existing flat roof, the pair being connected by a flat roofed section. A small flat roofed dormer is also proposed on the eastern side of the new roof facing the inner courtyard and the dwellings opposite (nos 4 & 5 Newlands Manor). Also, as part of the proposal, a new window is proposed at first floor level on the flank wall of the adjacent property, no 11 Newlands Manor.
- 14.6 The considerations when assessing this application are neighbour amenity, and the impact of the extensions on the character and appearance of the Listed Building and the wider area.
- 14.7 The proposed dormer window and rooflights on the eastern side of the new roof would look towards existing windows at no 4 & 5 Newlands Manor, which are arranged over 3 floors, but it has not been established what type of accommodation these windows serve. Due to the arrangement of the neighbouring properties however, there is already likely to be a degree of overlooking and the introduction of the proposed dormer should not exacerbate the current situation, or create an unacceptable issue of overlooking that would adversely impact on neighbour amenities. Furthermore, no objections to the proposals have been received from the occupants of these properties. Overshadowing plans have been included in the supporting evidence which demonstrate that there should not be any significant exacerbation of the existing situation.

- 14.7.1 There is an existing window in the rear elevation of no 11 which would be impacted upon by the introduction of built form over the flat roof, but as this window does not appear to serve a primary living area within the property, this should not adversely impact upon the occupiers' amenity.
- 14.7.2 The proposal also includes an additional window in the side wall of no 11, which would achieve views over the private garden area of No 7. As the applicant would be the only neighbour to be impacted upon, it is not considered that this should be raised as a concern.
- 14.8 As the property is sited in the countryside Policy DM20 of the Local Plan Part 2: Sites and Development Management Development Plan is relevant and this places restrictions on the amount of floorspace that can be achieved. This issue was flagged up at pre application stage, and also when the application was submitted as the floorspace still exceeded policy limitations. Notwithstanding this, there was some confusion over how to calculate the proposed floorspace, and this partly arose as it had not been appreciated that the floorspace within the raised roof had not been included in the calculations. As the roof was being raised to accommodate a first floor, this area also is considered new floorspace for the purposes of the policy. It is unfortunate that this discrepancy in calculation was not highlighted sooner, nevertheless the extensions had not complied with this policy so it is not accepted that the applicant was disadvantaged, and clarification was not sought on the wording of the policy. Even though the dwelling has previously been extended, there is still scope to extend it further and be in line with policy, provided the total floorspace does not exceed 100m². The current proposals would result in a total floorspace area of 111.63m², and therefore would be contrary to policy.
- 14.9 The increase in height of the existing gable roof, coupled with the new gable incorporating a side dormer, and awkward flat roofed link would adversely impact upon the character of the listed building as it would diminish the more subservient and ancillary character of this part of the building. Furthermore, the works would require the dismantling of the existing roof, loss of ceiling fabric, rebuilding of wall tops, possible further structural intervention (not covered in the application), the imposition of a staircase sweeping across the back wall and the lowering of the ceiling height. This level and degree of intervention into the building could not be supported. It would result in some quite significant intervention into historic fabric and the significant redesign of this simple single storey element of the Listed Building. The proposal would destroy the original dimensions of the room and the external appearance and proportions of this part of the building.
- 14.10 The current flat roofed addition is of limited historic significance to the listed building and possibly fills a former gap between the earlier structures. While it has limited architectural merit it is still very subservient to the buildings adjacent and clearly shows the break between the main part of the house and the rear cottages to the north of the courtyard. This part of the proposal has more impact on the gap between the main house and the cottages and its height and bulk partially erodes that important separation. Coupled with the proposed alterations to the western part of no 7, this would result in significant harm to the character and appearance of the Listed Building.

- 14.11 The proposals seek some structural interventions to achieve new ceilings and support for roofs and new first floors. This was a concern raised with the applicant at pre-application stage. The scheme seeks to build on top of some existing historic walls with new roof and wall structures. The scheme as proposed gives no indication whether the existing structure would support these changes without further removal of fabric becoming necessary. It also has no structural information to set out what the impact of new roofs, joists and floors would have on historic fabric. Despite an offer at pre-application stage, no small areas have been opened up to understand this fabric. The application has failed to explore this element further for the local authority to understand how these interventions would fully impact upon historic fabric. Furthermore, the internal alterations to create a new first floor within the dwelling would involve the loss of the existing ceiling and altering the internal proportions of the room with the introduction of a lower ceiling, and with the introduction of the staircase could result in the loss of the lath and plaster construction. Without this information the application could result in the removal of more historic fabric than proposed within the current application. It is recognised within the statement of significance that these walls might well relate to the earlier house on this site. The agent has stated that they could supply structural calculations, but these have not been forthcoming. Therefore on the basis of the limited information provided with the application the Council is not satisfied that the alterations could be undertaken without causing harm to the historic fabric and significance of this building.
- 14.12 The importance of the historic fabric and the relationship of this part of the building within Newlands Manor and the impact any changes could have on the significance of the Listed Building as a whole, has resulted in limitations to what could be achieved on this property. The needs of the applicant to change this property from what has been essentially a weekend property, to instead provide a permanent form of accommodation and update it, has resulted in a conflict which is not easily resolved. If anything is achievable within this site, it potentially would be a much reduced scheme above the more 'modern' flat roofed element, that did not interfere with the more historic parts of this building, but this would limit the additional accommodation that would be achievable within the site.
- 14.13 In conclusion the cumulative alterations and extensions to the dwelling would adversely impact on the appearance and character of the Listed Building. Furthermore, the identified and further potential loss of historic fabric would be significant and could not be mitigated by condition. Moreover, essential repairs and resolution of earlier breaches are not reliant on consent being granted for these works.
- 14.14 In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that this recommendation, if agreed, may interfere with the rights and freedoms of the applicant to develop the land in the way proposed, the objections to the planning application are serious ones and cannot be overcome by the imposition of conditions. The public interest and the rights and freedoms of neighbouring property owners can only be safeguarded by the refusal of permission.

15. RECOMMENDATION

Refuse

Reason(s) for Refusal:

1. The increase in height of the existing roof, coupled with the additional gabled roof, dormer and flat roofed link would create a bulky addition that would erode the subservience of this historic link within the wider context of the Listed Building as a whole, that would be detrimental to the Listed Building and detract from its historical significance. Furthermore on the basis of the limited information provided with the application the Council is not satisfied that the alterations could be undertaken without causing harm to the historic fabric and significance of this building. As such the proposal would be contrary to Policy CS3 of the Core Strategy for the New Forest District outside the National Park, and Policy DM1 of the Local Plan Part 2: Sites and Development Management Development Plan, and Chap 12 of the National Planning Policy Framework.
2. In order to safeguard the long term future of the countryside, the Local Planning Authority considers it important to resist the cumulative affect of significant enlargements being made to rural dwellings. Consequently policy DM20 of the adopted Local Plan Part 2: Sites and Development Management Development Plan seeks to limit the proportional increase in the size of such dwellings recognising the benefits this would have in minimising the impact of buildings and human activity generally in the countryside and the ability to maintain a balance in the housing stock. This proposal would result in a building which is unacceptably large in relation to the original unit of accommodation and would undesirably add to pressures for change which are damaging to the future of the countryside and contrary to policy DM20 and policy CS10 of the Core Strategy for the New Forest District outside the National Park.

Notes for inclusion on certificate:

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

Pre-application advice was sought, when concerns were expressed over the acceptability of the proposals and the applicants attention was drawn to the need for additional information to justify the works proposed. On submission of the application concerns remained over aspects of the proposals design and the lack of information, to justify the works proposed, which have been conveyed to the applicants agent. On the basis of the plans and information currently provided with this application significant concerns remained over the impacts of the proposal on this heritage asset.

Further Information:

Householder Team
Telephone: 023 8028 5345 (Option 1)



New Forest
DISTRICT COUNCIL

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**Planning Development
Control Committee**
April 2016

Item No: 3f & 3g
7 Newlands Manor
Everton
Milford on Sea
16/10003-04
SZ2893

Scale 1:1250

N.B. If printing this plan from
the internet, it will not be to
scale.

